

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

4405 BAY VALLEY FAMILY LAND  
TRUST, ET AL.,

Plaintiffs,

V.

HUGHES WATERS ASKANASE, LLP,  
ET AL.,

Defendants.

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No. 3:13-cv-2545-N

## ORDER


The United States Magistrate Judge made findings, conclusions and a recommendation in this case. No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court ACCEPTS the Supplemental and Amended Findings, Conclusions and Recommendation of the United States Magistrate Judge.

Plaintiff Bay Valley Family Land Trust is DISMISSED from this action for failure to obtain legal counsel. The Notice of Nonsuit without Prejudice [Dkt. No. 28] is GRANTED as to Plaintiff David M. Wethy and, pursuant to Rule 41(a)(2), his claims against all defendants are DISMISSED without prejudice.

In light of those dismissals of Plaintiff Bay Valley Family Land Trust and of Plaintiff David M. Wethy's claims, the Court DENIES AS MOOT and terminates Defendants JPMorgan Chase Bank, N.A.'s and Mortgage Electronic Registration Systems, Inc.'s Motion to Dismiss [Dkt. No. 9]. And, for the reasons explained in Magistrate Judge David L. Horan's December 10, 2013 Findings, Conclusions, and

Recommendation [Dkt. No. 27], Defendants JPMorgan Chase Bank, N.A.'s and Mortgage Electronic Registration Systems, Inc.'s Motion for Pre-Filing Injunction [Dkt. No. 14] is DENIED without prejudice.

SO ORDERED this 27<sup>th</sup> day of February, 2014



DAVID C. GODBEY  
UNITED STATES DISTRICT JUDGE